

**BEFORE THE  
STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2015-6

**VONTALLIO L. CARTER**  
5860 W. Las Positas Boulevard, Suite 19A  
Pleasanton, CA 94588

**Field Representative License No. FR 44802**

Respondent.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Structural Pest Control Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on January 4, 2015.

It is so ORDERED December 5, 2014

  
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FOR THE STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS

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2 DIANN SOKOLOFF  
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7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

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14 **5860 W. Las Positas Boulevard, Suite 19A**  
15 **Pleasanton, CA 94588**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

16 **Field Representative License No. FR 44802**

17 Respondent.

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
19 entitled proceedings that the following matters are true:

20 PARTIES

21 1. Susan Saylor ("Complainant") is the Registrar/Executive Officer of the Structural  
22 Pest Control Board. She brought this action solely in her official capacity and is represented in  
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Susana A.  
24 Gonzales, Deputy Attorney General.

25 2. Respondent Vontallio L. Carter ("Respondent") is representing himself in this  
26 proceeding and has chosen not to exercise his right to be represented by counsel.

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3. On or about September 28, 2009, the Structural Pest Control Board issued Field Representative License No. FR 44802 to Vontallio L. Carter (“Respondent”). The Field Representative License was in full force and effect at all times relevant to the charges brought in Accusation No. 2015-6 and will expire on June 30, 2015, unless renewed.

## JURISDICTION

4. Accusation No. 2015-6 was filed before the Structural Pest Control Board (“Board”), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on August 27, 2014. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 2015-6 is attached as exhibit A and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in Accusation No. 2015-6. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 2015-6.

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10. Respondent agrees that his Field Representative License is subject to discipline and he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

### CIRCUMSTANCES IN MITIGATION

11. Respondent Vontallio L. Carter has never been the subject of any disciplinary action. He is admitting responsibility at an early stage in the proceedings.

## CONTINGENCY

12. This stipulation shall be subject to approval by the Structural Pest Control Board. Respondent understands and agrees that counsel for Complainant and the staff of the Structural Pest Control Board may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

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1           7.    **Violation of Probation.** Should Respondent violate probation in any respect, the  
2 Board, after giving Respondent notice and an opportunity to be heard, may revoke probation and  
3 carry out the disciplinary order which was stayed. If a petition to revoke probation is filed against  
4 Respondent during probation, the Board shall have continuing jurisdiction until the matter is  
5 final, and the period of probation shall be extended until the matter is final.

6           8.    **Continuing Education Course.** Within eighteen (18) months of the effective date of  
7 the decision in Case No. 2015-6, Respondent Vontallio L. Carter shall complete four (4) hours of  
8 a business ethics course. Continuing education courses completed by Respondent through Univar  
9 between July 1-12, 2012, cannot be used towards the renewal of Respondent's Field  
10 Representative License in 2015.

11           9.    **Prohibited from Serving as Officer, Director, Associate, Partner or Qualifying**  
12 **Manager.** Respondent is prohibited from serving as an officer, director, associate, partner,  
13 qualifying manager or branch office manager of any registered company during the period that  
14 discipline is imposed on Field Representative License No. FR 44802.

15           10.   **Cost Recovery.** Respondent shall pay to the Board costs associated with its  
16 investigation and enforcement pursuant to Business and Professions Code section 125.3 in the  
17 amount of \$1,297.0. Respondent shall be permitted to pay these costs in a payment plan  
18 approved by the Board, with payments to be completed no later than three (3) months prior to the  
19 end of the probation term.

20           If Respondent has not complied with this condition during the probationary term, and  
21 Respondent has presented sufficient documentation of his good faith efforts to comply with this  
22 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an  
23 extension of Respondent's probation period up to one year without further hearing in order to  
24 comply with this condition. During the one year extension, all original conditions of probation  
25 will apply.

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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Field Representative License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Structural Pest Control Board.

DATED:

10/2/14

  
VONTALLIO L. CARTER  
RespondentENDORSEMENT

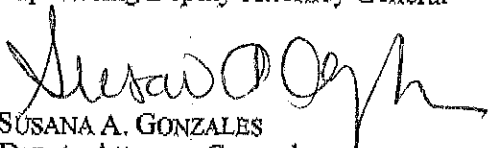
The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Structural Pest Control Board.

Dated:

10/24/14

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
DIANN SOKOLOFF  
Supervising Deputy Attorney General

  
SUSANA A. GONZALES  
Deputy Attorney General  
Attorneys for Complainant

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